



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Christine Walker - County Clerk

**ORDINANCE NO. 2049**

**AN ORDINANCE VACATING APPROXIMATELY 400 FEET OF UNDEVELOPED ALLEY RIGHT-OF-WAY LOCATED BETWEEN FRONT STREET AND THE CENTRAL OREGON AND PACIFIC RAILROAD ADJACENT TO TAX LOTS 2900 AND 3000 LOCATED ON JACKSON COUNTY ASSESSOR'S MAP PAGE 372W03DC.**

Applicant: Jackson County School District 6

**Recitals:**

- A. In accordance with CPMC Chapter 12.28 and Oregon Revised Statute (ORS) Chapter 271.090 and 100 the Central Point City Council accepted a petition (Right of Way Vacation Application) from Jackson County School District 6 and approved Resolution 1547 fixing a time for a formal hearing upon the petition.
- B. Upon receipt of the petition the City distributed a request for comment to public agencies and utilities that might be affected by the proposed vacation.
- C. In accordance with CPMC Chapter 12.28 Street and Alley Vacations and ORS Chapter 271.110 and 120 Notice of Hearing, the City initiated the vacation process and conducted the following duly advertised public meetings/ hearings:
  - 1) City Council consideration of petition on August 9, 2018
  - 2) City Council hearing on August 23, 2018.
- D. In accordance with ORS 271.120, "at the time fixed by the governing body for hearing the petition and any objections filed thereto", the City Council determined whether the consent of the owners of the requisite area was obtained, whether notice was duly given and whether the public interest would be prejudiced by the vacation.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

Section 1. Based upon all the information received, the City Council adopts the Staff Report, Findings of Fact and evidence which are incorporated herein by reference; determines that the public interest is not prejudiced; that changing community conditions and needs justify the vacation and hereby adopts this ordinance to vacate approximately 400 feet of undeveloped alley right-of-way located between Front Street and the Central Oregon and Pacific Railroad adjacent to Tax Lots 2900 and 3000 located on Jackson County Assessor's Map Page 372W03DC (the "vacated property") The vacated property is more fully described in Exhibit "A" incorporated herein by reference.

Section 2. The vacated property shall be conveyed to the abutting property owner by quit claim deed, a copy of which is attached hereto and made a part hereof as Exhibit "B." Conveyance shall be subject to the conditions set forth in this ordinance and applicable law.

Section 3. The City Manager is directed to record certified true copies of this ordinance in the office of the County Clerk of Jackson County, Oregon, and with the County Assessor and County Surveyor of Jackson County, Oregon. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map.

Section 4. For purposes of transfer of ownership of the property covered by the vacation, this Ordinance shall be effective upon completion of the conditions provided herein.

Passed by the Council and signed by me in authentication of its passage this 13<sup>th</sup> day of September, 2018.



Mayor Hank Williams

ATTEST

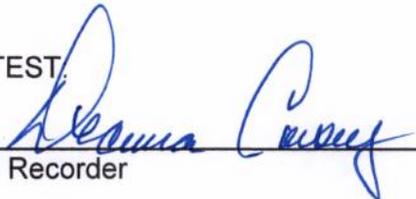
  
\_\_\_\_\_  
City Recorder

Exhibit "A"

LAND SURVEYING, LLC

LEGAL DESCRIPTION – OAK PARK ADDITION ALLEY VACATION  
CRATER IRON PARCEL – 419 NORTH FRONT STREET, CENTRAL POINT  
ASSESSOR'S MAP NO. 37 2W 03 DC, TAX LOT 2900

The vacation of a portion of an 18.00 foot wide public Alley, lying situate within the Southeast Quarter of Section 3, within Township 37 South, Range 2 West of the Willamette Meridian in the City of Central Point, Jackson County, Oregon, being more particularly described and bounded as follows, to wit;

All of that 18.00 foot wide public alley lying between the northeasterly line of the Central Oregon & Pacific Railroad (formerly Southern Pacific Railroad) and the southwesterly lines of Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Block 3, Oak Park Addition to the City of Central Point, Oregon, according to the official plat thereof, recorded on February 14, 1910 in the Plat Records in Jackson County, Oregon.

ALSO: All of that 10.00 wide public alley lying northerly of Lot 1 in Block 3, Oak Park Addition to the City of Central Point, Oregon, according to the official plat thereof, recorded on February 14, 1910 in the Plat Records in Jackson County, Oregon.

Containing 0.19 acres or 8,405 square feet, more or less.

Prepared by:

Shawn Kampmann  
Professional Land Surveyor

Polaris Land Surveying LLC  
P.O. Box 459  
Ashland, Oregon 97520

Date: April 26, 2018

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Shawn Kampmann

OREGON  
JULY 14, 1998  
SHAWN KAMPMANN  
02883LS

RENEWAL DATE: 6/30/19



EXHIBIT "B"

Recording Requested By:

City of Central Point  
140 S. Third Street  
Central Point, OR 97502

When Recorded Mail To:

City of Central Point  
140 S. Third Street  
Central Point, OR 97502

Mail Tax Statements To:

OWNER AS PER COUNTY RECORDS AT  
TAX ASSESSORS OFFICE

(This Space for Recorder=s Use)

**VACATION QUIT CLAIM DEED**

City of Central Point, an Oregon municipal corporation, Grantor, releases and quitclaims to Jackson County School District , Grantee, all right, title and interest in and to the real property described below, which real property was vacated, closed and abandoned by Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City of Central Point, Oregon on \_\_\_\_\_, 2018.

See Exhibit "A" hereto.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR

PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true consideration for this conveyance is other consideration, consisting of conveyance by Grantee to Grantor of certain easements pertaining to the subject real property granted to Grantor of even date.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

City of Central Point

By:

STATE OF OREGON )  
County of Jackson ) ss.

This instrument was acknowledged before me on . 2018, by the  
City of Central Point, Oregon, acting by and through . its

Notary Public for Oregon  
My Commission Expires: